

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

**RUSSELL FOSTER and LOIS
FOSTER, husband and wife,**

Plaintiffs,

v.

**EXXON MOBIL CORPORATION,
a New Jersey corporation, and
DUKE ENERGY FIELD SERVICES,
LP., a Delaware limited partnership,**

Defendants.

**Case No. CIV-05-1228-M
Judge Vicki Miles-LaGrange**

JOINT STIPULATION FOR DISMISSAL WITH PREJUDICE

COME NOW the Plaintiffs Russell Foster and Lois Foster and the Defendants Exxon Mobil Corporation and Duke Energy Field Services, LP, by and through their counsel of record, and hereby stipulate to the entry of an order dismissing this action with prejudice to the refiling thereof, with each party to bear its own costs and attorney's fees, all pursuant to Rule 41(a)(2), Fed.R.Civ.P.

Respectfully submitted,

s/ WES JOHNSTON

(Signed by filing attorney with permission of Plaintiff Attorney)

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